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United States Courts
Southern District of Texas
FILED

FEB 12 2024

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT
OF TEXAS**

Nathan Ochener, Clerk of Court

JOHN ROBERT HUNTER JR,
Claimant,

v.

JPMORGAN CHASE BANK, N.A.,
FREDDIE MAC,
Respondents,

Case No: 4:24-cv-00491

CLAIM FOR BREACH OF
CONTRACT, BREACH OF
FIDUCIARY DUTY

DECLARE AMENDED

I. NATURE OF THE ACTION

1. This is an action brought by John-Robert: Hunter-Jr, (hereinafter "Original Creditor", "Beneficiary", "Claimant") for breach of contract, breach of fiduciary duty against Respondents JPMORGAN CHASE BANK, N.A. and FREDDIE MAC (hereinafter "Respondents") concerning a mortgage transaction dated November 13, 2020, secured by a property located at 524 North Adams Street, Houston, Texas [77011], including but not limited for unlawful conversion/theft by conversion of private property, fraudulent concealment, tax evasion, violation of consumer privacy laws, and predatory lending; Strict rebuttal is demanded; and
2. Now comes the private party, John-Robert: Hunter-Jr, Original Creditor, Son, injured creditor and the real party of interest (hereinafter referred to as

“Claimant”, “Original Creditor”) in peace and without controversy, over 21: years of: age, of sound mind, with firsthand knowledge of the facts in Good Faith, without prejudice, without displaced rights as given by The Most High, competent, acting on behalf of: JOHN ROBERT HUNTER JR’S commercial interest; and

- 3. denies expressly, directly, and explicitly that \$207,900.00 (two hundred seven thousand nine hundred and no/¹⁰⁰ dollars) was borrowed from JPMORGAN CHASE BANK, N.A., evidenced by the existence of 2 (two) separate Promissory notes; Strict proof is demanded; Admit that a copy of the Note is annexed as Exhibit A and A-1;**

II. JURISDICTION AND VENUE

- 1. Jurisdiction is vested in this Court under 28 U.S.C. § 1331 for actions arising under federal law; and**
- 2. Venue is proper under 28 U.S.C. § 1391 as Respondents does business in this District, and a substantial part of the events giving rise for the claim occurred herein;**

III. PARTIES

- 1. JOHN ROBERT HUNTER JR is the owner of the property located at 524 North Adams Street, Houston, Texas [77011]; and**
- 2. JPMORGAN CHASE BANK, N.A., is a financial institution with its principal place of business located at 270 Park Avenue, New York, NY 10017; and**
- 3. FREDDIE MAC is a financial institution with its principal place of business located at 8200 Jones Branch Drive, Mclean, VA 22102; and**

IV. VERIFIED CLAIMS AND NEGATIVE AVERMENTS

1. Claimant is the Original Creditor of the property in alleged for being subjected for a mortgage loan allegedly serviced by Respondents; Strict rebuttal is demanded; and
2. Despite repeated requests for clarification and resolution of these issues, Respondents has failed for complying, constituting a clear violation of RESPA and TILA, and breaching the terms of the mortgage contract; Strict rebuttal is demanded; and
3. The Mortgage Audit Report Deluxe Extended II evidenced as Exhibit B revealed significant discrepancies and legal concerns regarding the servicing of Claimant's mortgage loan, including, but not limited for:
 - a. Failure for verifying the existence of the actual loan and security instrument; Strict rebuttal is demanded; and
 - b. Misrepresentation of the role and authority of MERS in the assignment and transfer of the mortgage; Strict rebuttal is demanded; and
 - c. Issues related for the securitization of the mortgage and the break in the chain of title; Strict rebuttal is demanded; and
 - d. Irregularities and procedural violations in the foreclosure process, asserting the legality and standing of Respondents to collect on the alleged debt; Strict rebuttal is demanded;

V. CAUSES OF ACTION

1. Breach of Contract for failing for adhering for the terms of the mortgage agreement, as highlighted by the irregularities and legal concerns detailed in the Mortgage Audit Report Deluxe Extended II; Strict rebuttal is demanded; and

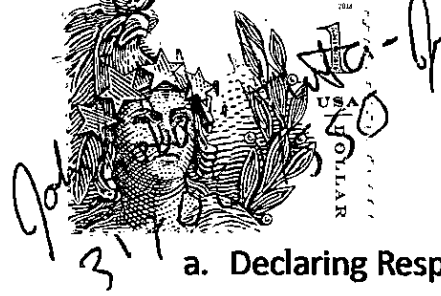
2. Breach of Fiduciary Duty for failing for upholding the above-referenced Trust in a just manner and not injure the Beneficiary financially or otherwise; Strict rebuttal is demanded; and
3. Violation of RESPA for failing for responding adequately for the Claimant's inquiries and concerns, as evidenced by the Mortgage Audit Report Deluxe Extended II; Strict rebuttal is demanded; and
4. Failure to make clear for Claimant who the actual servicer and Owner is evidenced by the Respondents' own words, Exhibit C, that FREDDIE MAC, located at 8200 Jones Branch Drive, Mclean, VA 22102 is the actual owner; It presents questions as for JP MORGAN CHASE, N.A.'S standing for collecting on an alleged debt; Strict proof is demanded;
5. Violation of TILA for failure for providing clear and conspicuous disclosure regarding the loan's terms and conditions and Respondents' authority for enforcing the loan; Strict rebuttal is demanded; and
6. Unlawful Collection Practices based on the procedural violations and irregularities in the Servicing process identified in the report, strict rebuttal is demanded;

VI. DEMAND FOR JURY TRIAL

Claimant hereby demands a trial by jury on all issues so triable;

VII. PRAYER FOR RELIEF

Claimant respectfully requests the Court for:

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- a. Declaring Respondents' servicing practices in breach of the mortgage contract; and
- b. Award compensatory and punitive damages for the financial injuries and emotional distress incurred by Claimant in the amount of \$2,500,000.00 (two million five-hundred thousand and no/100 dollars); and
- c. Order Respondents to provide all requested documentation and to rectify the identified discrepancies and legal concerns; and upon failure for doing so, revert title and deed for Claimant free and clear of any outside liens; and
- d. Award costs of litigation fees within reason; and
- e. Grant such other and further relief as deemed just and appropriate;

VIII. Unsworn Declaration

I declare by and through the pains and penalties of perjury that the foregoing is true and correct, Executed on February 12, 2024;

Respectfully submitted,

By: *John-Robert: Hunter-Jr.*

John-Robert: Hunter-Jr,

Sole Beneficiary

In Good Faith

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